

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

DAVID SMOTHERMON,

Defendant.

**ORDER DENYING**  
**DEFENDANT'S MOTION TO**  
**ADJOURN TRIAL**

19 Cr. 382 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

Defendant David Smothermon moves to adjourn his criminal trial, currently scheduled to begin June 9, 2025. I deny his motion.

The Government initially filed charges against Smothermon in 2018. *See* ECF No. 1. The underlying conduct took place nearly a decade ago. *Id.* This case has repeatedly been adjourned. It is now time for it to be tried. The current trial date, which I will not adjourn, was set in October 2024, more than six months ago. *See* ECF No. 113.

As Smothermon's letter concedes, his counsel, George D. Murphy, Jr., is available to try this case, as scheduled, in June 2025, along with two other duly-licensed attorneys. *See* ECF No. 122. He will do so beginning on June 9, 2025, at 10:00 a.m., in Courtroom 14D. The final pretrial conference will be held, as scheduled, on May 28, 2025, at 11:00 a.m.

SO ORDERED.

Dated: April 26, 2025  
New York, New York

ALVIN K. HELLERSTEIN  
United States District Judge